

**REMARKS**

Claims 1-23 are pending. Upon entry of this response, claims 1-9 and 11-23 will be pending, claims 1, 2, 8, 21, and 23 having been amended and claim 10 canceled in this response.

Claim Objections

Claims 21 and 23 were objected to under 37 C.F.R. 1.75(c) as allegedly being of improper depending form, requiring correction. Claims 21 and 23 have been amended. The objections are believed to have been overcome. Withdrawal of the objections is therefore requested.

112, 2<sup>nd</sup> paragraph, Rejections

Claims 2 and 8 were rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, as allegedly being indefinite. Claims 2 and 8 have been amended. The rejections are believed to have been overcome. Withdrawal of the rejections is therefore requested.

Double Patenting Rejections

Claims 1-23 were provisionally rejected on the alleged ground of non-statutory obviousness-type double patenting over claims 1-11 of copending U.S. Application Publication No. 2004/0197561 (U.S. Application Serial No. 10/482,871).

Merely to obviate the double patenting rejections, submitted herewith is a terminal disclaimer. The rejections are believed to have been overcome. Withdrawal of the rejections is therefore requested.

102(b) Rejections

Claims 1 and 11-21 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by JP 8-134345 ("JP '345"). Applicants traverse the rejections.

Claim 1 as amended states that a polyether compound is represented by general formula (2). The chemical structure of general formula (2) is shown in the claim.

In contrast, JP '345 does not disclose the polyether compound represented by general formula (2). See JP '345 Abstract. Accordingly, claim 1 and dependent claims

11-21 are not believed to be anticipated by JP '345. Withdrawal of the rejections is therefore requested.

103(a) Rejections

Claims 1-9 and 11-23 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over JP '345 in view of U.S. Application Publication No. 2001/0031831 ("Miyoshi"). Applicants traverse the rejections.

As stated above, JP '345 does not disclose the polyether compound represented by general formula (2). This deficiency is not corrected by Miyoshi because Miyoshi does not disclose the polyether compound represented by general formula (2). Accordingly, claim 1 and dependent claims 2-9 and 11-23 are not believed to be unpatentable over Miyoshi. Withdrawal of the rejections is therefore requested.

**CONCLUSION**

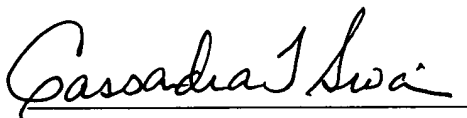
The claims are believed to be allowable. An early and favorable action to that effect is respectfully requested.

The Examiner is invited to contact the undersigned at 202-220-4200 to discuss any matter in connection with this application.

The Office is hereby authorized to charge any fees under 37 C.F.R. 1.16 and 1.17 to the Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully submitted,

Dated: May 1, 2006

A handwritten signature in cursive script, reading "Cassandra T. Swain", written over a horizontal line.

Cassandra T. Swain, Ph.D.  
(Reg. No. 48,361)

KENYON & KENYON LLP  
1500 K Street, N.W., Suite 700  
Washington, DC 20005-1257  
Tel: (202) 220-4200  
Fax: (202) 220-4201  
Email: cswain@kenyon.com